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09/779,046	02/07/2001	Sheng Dong	80398.P388	4431

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EXAMINER

KE, PENG

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 06/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/779,046

Applicant(s)

DONG ET AL.

Examiner

Peng Ke

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This action is responsive to communications: Amendment, filed on 3/22/04.

This action is final.

2. Claims 1-38 are pending in this application. Claims 1, 11, 19, and 29 are independent claims. In the Amendment, filed on 3/22/04, claims 1, 5, 7, 8, 11, 13, 19-21, 28, 29, 31, 33, 35, and 36 were amended.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3-6, 9, 10, 29 and 31-34, 37 and 38 are rejected under 35 U.S.C. 102(e) as being anticipated by Humpleman et al. (US 6,603,488).

As per claim 1, Humpleman et al. teaches a method comprising:

determining an identification corresponding to a device, wherein the device is coupled to a local network; and

loading a user interface found at a remote source wherein the user interface corresponds to the identification of the device and the remote source is remote from the local network (col. 2, lines 42-68).

As per claim 3, Humpleman et al. teaches the method of claim 1, further comprising:  
remotely searching for a user interface corresponding to the identification (col. 15, lines 35-44, col. 16, lines 44-53).

As per claim 4, Humpleman et al. teaches the method of claim 1, wherein the remote source includes the World Wide Web (col. 5, lines 48-65).

As per claim 5, Humpleman et al. teaches the method of claim 1, wherein the loading is performed if a the user interface corresponding to the identification is not found by searching locally (col. 8, lines 22-45).

As per claim 6, Humpleman et al. teaches the method of claim 5, wherein locally searching includes searching the storage medium of a controller (col. 8, lines 22-45).

As per claim 9, Humpleman et al. teaches method of claim 1, wherein the user interface is loaded on a controller (fig. 10, items 706).

As per claim 10, Humpleman et al. teaches the method of claim 1, wherein the user interface controls the device (fig. 10, item 706) operation.

As per claim 29, it is rejected with same rationale as claim 1. (see rejection above)

As per claim 31, which is dependent on claim 29, it is of same scope as claim 2. (see rejection above)

As per claim 32, which is dependent on claim 29, it is of same scope as claim 4. (see rejection above)

As per claim 33, which is dependent on claim 29, it is of same scope as claim 5. (see rejection above)

As per claim 34, Humpleman teaches the computer-readable medium of claim 33, wherein locally searching includes searching the storage medium of a controller (col. 8, lines 22-45).

As per claim 37, which is dependent on claim 29, it is of same scope as claim 9. (see rejection above).

As per claim 38, which is dependent on claim 29, it is of same scope as claim 10. (see rejection above).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7, 8, 11, 13-25, 27, 28, 35, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Humpleman et al. (US 6,603,488) in view of Kanevsky (US 6,309,947)

As per claim 7, Humpleman et al. teaches the method of claim 3, further comprising:

However, Humpleman et al. fails of teach

loading a basic operative user interface if the user interface corresponding to the identification is not found at the remote source.

Kanevsky teaches loading a basic operative user interface if the user interface corresponding to the identification is not found at the remote source (col. 9, lines 18-29)

It would have been obvious to an artisan at the time of the invention to include Kanevsky's teaching with Humpleman et al.'s method in order to provide a workable module for the devices that are without a custom module.

As per claim 8, Humpleman et al. teaches the method of claim 7, wherein the basic operative user interface is modifiable through user input (col. 18, lines 38-68, col. 19, lines 1-8).

As per claim 11, it is rejected with the same rationale as claim 7 (see rejection above)

As per claim 13, Humpleman et al. and Kanevsky teach the method of claim 11. Humpleman et al. further teaches locally searching for a particular user interface; and

Remotely searching for a particular user interface if the particular user interface is not found by searching locally.

As per claim 14, Humpleman et al. and Kanevsky teach the method of claim 13. Humpleman et al. further teaches wherein locally searching includes searching a storage medium of a controller (col. 8, lines 22-45).

As per claim 15, Humpleman et al. and Kanevsky teach the method of claim 13. Humpleman et al. further teaches remotely searching includes search the World Wide Web (col. 5, lines 48-65).

As per claim 16, which is dependent on claim 11, it is of the same scope as claim 8. (see rejection above).

As per claim 17, Humpleman et al. and Kanevsky teach the method of claim 11. Humpleman et al. further teaches wherein the user interface is loaded on a controller (fig. 10, item 706).

As per claim 18, Humpleman et al. and Kanevsky teach the method of claim 11. Humpleman et al. further teaches wherein the user interface controls the device operation. (fig. 10, item 706).

As per claim 19, it is rejection with same rationale as claim 11, (see rejection above)

As per claim 20, which is dependent on claim 19, it is of the same scope as claim 13. (see rejection above).

As per claim 21, which is dependent on claim 19, it is of the same scope as claim 14. (see rejection above).

As per claim 22, Humpleman et al. and Kanevsky teach the method of claim 19, Humpleman further teaches the device controller of claim 19, wherein the first communication medium is an IEEE 1394 protocol compliant (col. 5, lines 54-65).

As per claim 23, Humpleman et al. and Kanevsky teach the device controller of claim 20, Humpleman further teaches wherein searching the remote network includes searching across the first communication medium (col. 8, lines 22-45, Examiner interprets the attached server to be first communication medium)

As per claim 24, Humpleman et al. and Kanevsky teach the device controller of claim 23, Humpleman et al. further teaches wherein the first communication medium the World Wide Web (Fig. 3B).

As per claim 25, Humpleman et al. and Kanevsky teach the device controller of claim 20, Humpleman et al. further teaches wherein the storage medium is selected from the group consisting of memory and storage devices (col. 8, lines 22-45, It is inherent for the information regarding the devices to be stored on the storage devices).

As per claim 27, Humpleman et al. and Kanevsky teach the device controller of claim 19, Humpleman et al. further teaches a library of customizing tools for a user to modify the basic user interface prior to the loading on the device controller (Fig. 11, item "preferences" ).

As per claim 28, which is dependent on claim 19, it is of the same scope as claim 9. (see rejection above).

As per claim 35, which is dependent on claim 29, it is of same scope as claim 7. (see rejection above).

As per claim 36, which is dependent on claim 29, it is of same scope as claim 8. (see rejection above).

Claims 2 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Humpleman et al. (US 6,603,488) in view of Ramachandran et al. (US 6,631,351)

As per claim 2, Humpleman et al. teaches the method of claim 1. However, Humpleman fails to teach wherein the identification is selected from the group consisting of global unique identification (GUID) and unit information (UINFO).

Ramachandran et al. teaches teach wherein the identification is selected from the group consisting of global unique identification (GUID) (col. 16, lines 1-3) and unit information (UINFO) (col. 9, line 48-51).



It would have been obvious to an artisan at the time of the invention to include Ramachandran et al.'s teaching with Humpleman et al.'s method in order to simplify system device identification process.

As per claim 30, which is dependent on claim 29, it is of the same scope as claim 2. (see rejection above)

Claims 12 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Humpleman et al. (US 6,603,488) and Kanevsky (US 6,309,947) further in view of Ramachandran et al. (US 6,631,351)

As per claim 12, Humpleman and Kanevsky teach the method of claim 11. However, they fail to teach wherein the identification is selected from the group consisting of global unique identification (GUID) and unit information (UINFO).

Ramachandran et al. teaches wherein the identification is selected from the group consisting of global unique identification (GUID) (col. 16, lines 1-3) and unit information (UINFO) (col. 9, line 48-51).

It would have been obvious to an artisan at the time of the invention to include Ramachandran et al.'s teaching with method of Humpleman and Kanevsky in order to simplify system device identification process.

As per claim 26, which is dependent on claim 19, it is of the same scope as claim 12. (see rejection above)

***Response to Argument***

Applicant's arguments filed on 3/22/04 have been fully considered but they are not persuasive.

Applicant's argument includes following points:

A) Humpleman fails to teach loading a UI from a non-local source.

Examiner's Response:

A) Humpleman teaches the control device can receive a micro, a HTML page that provides user with the ability to send instruction from outside of a local network, over the internet (col. 21, lines 21-35). In addition, the devices in Humpleman's system is linked to their own home page (col. 10, lines 55-60), which is stored on a non-local source.

B) Humpleman nor Ramachandran provides a prima facie case of obviousness for combining the two reference.

B) Ramachandran provides a reason for using global unique identification (GUID) and unit information (UINFO), and that is to provide a device that is capable of intelligent asynchronous speech with other devices (col. 1, lines 28-32).

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period

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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peng Ke whose telephone number is (703) 305-7615. The examiner can normally be reached on M-Th and Alternate Fridays 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L Kincaid can be reached on (703) 308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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